



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled **HANDHELD DEVICE WITH PREFERRED MOTION SELECTION**, the specification of which was filed on March 23, 2004 as Application Serial Number 10/807,570.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim U.S. provisional application or foreign priority benefits under 35 U.S.C. § 119 of any U.S. provisional applications or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior U.S. Provisional or Foreign Application(s)				
			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
NONE				

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Appln. Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
-----	NONE	-----

I hereby appoint:

Practitioners at Customer Number

05073

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Direct Telephone Calls To:

Barton E. Showalter

at 214.953.6509

Attorney Docket No. 073338.0182

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of joint inventor:

David L. Marvit

Inventor's signature:



Date:

9-5-04

Residence (City, County, State):

San Francisco, San Francisco County,
California

Citizenship:

United States of America

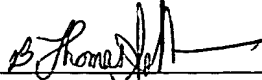
Post Office Address:

783 Second Avenue
San Francisco, California 94118-4020

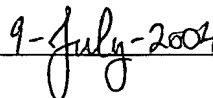
Full name of joint inventor

B. Thomas Adler

Inventor's signature



Date



Residence (City, County, State)

Menlo Park, San Mateo County, California

Citizenship

United States of America

Post Office Address

505 Concord Drive
Menlo Park, California 94025-2907

Full name of joint inventor

Albert H. M. Reinhardt

Inventor's signature



Date

7/9/04

Residence (City, County, State)

San Francisco, San Francisco County,
California

Citizenship

United States of America

Post Office Address

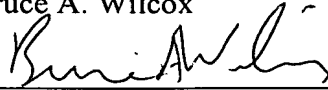
752 39th Avenue
San Francisco, California 94121

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Full name of joint inventor

Bruce A. Wilcox

Inventor's signature



Date

7/10/04

Residence (City, County, State)

San Luis Obispo, San Luis Obispo County,
California

Citizenship

United States of America

Post Office Address

1169 Laurel Lane
San Luis Obispo, California 93401